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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,923	01/02/2001	Joel D. Tucciarone	004-0003 ·	7355

46064   7590   05/14/2007
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ART UNIT	PAPER NUMBER
3622	

MAIL DATE	DELIVERY MODE
05/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	09/750,923	TUCCIARONE ET AL.
	Examiner	Art Unit
	Yehdega Retta	3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 February 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-53 and 65-76* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-53 and 65-76* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date *1/2/01, 1/10/03*.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

This office action is in response to amendment filed February 16, 2007. Applicant amended

claims 1, 40 and 47 and added new claim 76. Claims 1, 4-53 and 65-76 are currently pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the

written description requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claim 1 recites "wherein the network keeps an identity of a user of the Information account

confidential until the user discloses the identity to the supplier". The specification does not teach

that the network keeps identity of a user, or the user disclosing the identity to the supplier. Nor

does it teach the network keeping the identity of the user until the user discloses the identity to

the supplier.

Claims 2, 3, 6-53, 65-72 and 75 are rejected because the claims depend on claim 1.

Based on the assumption that applicant's disclosure meets the requirement of 35

U.S.C. 112, first paragraph, written description requirement, the rejection of under 102, as stated

blow applies.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 30 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 1 recites "making a request by indicating to the information account a type of information desired", Claim 30 recites "wherein the account comprises an electronic mail (email) account, an instant messaging account, a wireless short messaging account, a wireless account, a cellular telephone account, a paging account, a facsimile number, a voice mailbox, a bulletin board, an addressable TV terminus address, a posting address and a print out address". The specification teaches "The Information Control Panel 300 is connected to the Dynamic Request Data System 306 and provides the subscriber with an interface allowing the subscriber to specify requests and establish specific request parameters including all of the parameters identified in FIG. 5". "The Dynamic Request Data System includes a Search Engine, a Data Warehouse or Database, a Business Rules Database and eMessaging Servers. The Dynamic Request Data System searches over the Internet for information to fulfill a Subscriber's parameters as expressed in the Information Control Panel and then packages the information as an html or ASCII text e-mail with or without an attachment and sends the e-mail to the e-Mail GUI 310. The html e-mail may contain hyperlinks 314 to locations on the Internet 304". The specification

teaches five ways of accessing the At My Request service (control panel); accessing through a

web-based e-mail system 808 (web mail); access provided by an Internet Service Provider mail

816 ... integrated with the ISP's mails system/or mail interface; access provided by a browser

plug-in or pull-down menu 821;accessing directly from a web-site for At my request 820;

accessing through an Application or a Thin Client 824) (see [0109]-[0115]). The specification

teaches the subscriber identifies an account where the information should be delivered. The

subscriber can select to send the request information to home e-mail, web-based email, office

email, etc (see [0120]) and should the subscriber wants to receive the information on more than

one terminus device he can use the delivery device key to select any number of terminus devices.

According to applicant's invention, the information request is performed though the information

control panel that is accessed in different ways and the information collected is delivered to

different account. However according to claim 30 the request is done through user accounts,

since applicant defines the account (information account where the request is made) as an

electronic mail (email) account, an instant messaging account, a wireless short messaging

account, a wireless account, a cellular telephone account, a paging account, a facsimile number,

a voice mailbox, a bulletin board, an addressable TV terminus address, a posting address and a

print out address. Applicant either needs to amend claim 1 to indicate that the request is sent (or

is indicated to) the control panel, which is different than the subscriber, terminus device. Or

amend claim 30 to further limit or indicate the different ways the request is done.

Claim 69 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the

written description requirement. The claim(s) contains subject matter which was not described

in the specification in such a way as to reasonably convey to one skilled in the relevant art that

the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant specification teaches email account used for the delivery of the result. However the

specification does not teach use of email alias account wherein the aliases are deleted from the

account once a predetermined time has expired.

According to claim 65, the requesting and collecting of information (recited in claim 1) is

performed by being one of a trusted intermediary and a third party, and according to claim 69

wherein a feature of one of the trusted intermediary and the third party is achieved by a

traditional email alias account wherein the aliases are deleted from the account once a

predetermined time has expired. According to applicant argument a permission-based email with

the ability to ... is implemented by an email alias with time expiration. According to applicant's

disclosure:

Permission-based" or "opt-in" e-marketing entails users granting permission for companies to send

advertisements and other commercial messages via e-mail or other forms of eMessaging. Opt-in e-mail is

largely used to generate leads, increase sales, retain, up-sell and cross-sell customers as

well as building traffic to company web-sites. Some corporations seek to build their own in-house

permission-based e-mail lists by inviting website visitors to register and subscribe to an e-mail update or

newsletter as well as by renting third-party permission-based opt-in lists.

Nowhere in the specification indicates that the permission-based emails list build by

inviting website visitors to register and subscribe to an-email update or newsletter ... is achieved

by traditional email alias account wherein the aliases are deleted from the account once the

predetermined time has expired.

Claim 9 recites wherein the action taken is one of made a purchase, not made a purchase,

continued make a request etc. Claim 1 recites *storing in the memory both the request and the*

result and claim 7 recites <u>taking an action based on the result obtained</u> from the network in

response to the request. Claim 9 recites wherein the *action is one of made a purchase*, not made a

purchase, continued to make the request, modified the request, purchased within a time range

and abandoned the request. First of all the result is stored not displayed or accessed in someway,

so it is unclear how an action is taken and how the action is determined to be one of made a

purchase etc., or if the action taken indicates a purchase made. Therefore, it unclear after the

result is stored, what action is taken to indicates one of made purchase or not.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-39, 41-47, 49, 50, 53 and 65-76, are rejected under 35 U.S.C. 102(e) as being

anticipated by Lanzillo, JR. et al. (US 2002/0032602).

Regarding claims 1-8, Lanzillo teaches making a request by indicating type of

information of the request (see [0021], [0041]; entering duration in which the request is active;

collecting a result obtained form the network in response to a request with the duration; storing

in a memory the request and result (see [0019], [0026], [0043], [0048]; network keeping identity

of a user confidential until the user discloses the identity of to the supplier (see [0010], [0026],

[0027], [0033], [0043]); receiving in the information account a result obtained from the network;

maintaining a record to capture the request and a result obtained from the network in response to

the request (see [0019], [0026]; determining an amount of result in the record [0032]; taking an

action based on the result obtained from the network in response to the request; wherein a utility

analyzes behaviors of a requester making the request in view of the record [0020], [0043];

determining an actual duration the request stayed active [0032].

Regarding claim 9-12, Lanzillo teaches categorizing the action taken after receipt of the

results; wherein the action is one of made a purchase, not made a purchase, continued to make

the request, modified the request, purchased within a time range and abandoned the request;

inputting information associated with one of various levels of readiness to buy and a purchase

intentionality index; entering information associated with a usage intentionality index;

determining whether to issue one of an electronic refund and a coupon voucher based on one of

the purchase intentionality status, the purchase intentionality index and the usage intentionality

index (see [0020], [0021],[0057]).

Regarding claim 13-39, 41-47, 49, 50 and 53, Lanzillo teaches specifying one of a

destination and a plurality of destinations regarding where a result of the request is to be

delivered to ([0019], [0025], [0026] [0033] [0042], 0043]), wherein an origin of where the

request is initiated from is insulated from the network wherein the request comprises a plurality

of request parameters ([0026], [0043]); wherein the duration is preset for one of a future

activation date and a future cut-off date; specifying a time the request is made known to the

network entering a quantity of information desired as expressed in one of a fixed number and a

range ([0032]); further comprising a step entering a preferred method of transmission as

expressed in a transmission rate; entering a preferred method of transmission suitable for a

particular type of receiving terminus entering a geographic region where the type of information

is to be collected from ([0041]-[0043].

Regarding claims 65-72 and 75 Lanzillo teaches wherein the requesting and collecting of

information is performed by being one of a trusted intermediary and a third party; wherein a

feature of one of the trusted intermediary and third party is achieved by having the processor and

the memory to hold a lookup table; wherein a feature of one of the trusted intermediary and third

party is achieved by a channelized address ([0017] [0026]); wherein a feature of the trusted

intermediary and the third party is achieved by a limited used cryptographic system wherein a

feature of one of the trusted intermediary and the third party is achieved by a traditional email

alias account wherein the aliases are deleted from the account once a predetermined time has

expired ([0017], [0031]; wherein a feature of one of the trusted intermediary and the third party

is achieved by storing a computer table in a relational database wherein the lookup table is held

by a bonded party to insulate a seeking party and a providing party from knowing each other

([0010]); wherein a feature of one of the trusted intermediary and the third party is achieved by

insulating a purchasing party and a selling party from knowing each other after consummation of

a sales transaction ([0019], [0026], [0041],[0042]).

Regarding claim 76, Lanzillo teaches making a request by indicating to the email account

a type of information desired ([0018]-[0023], [0041], [0042]; entering a duration in which the

request is active; collecting in the email account a result obtained from the network in response

to the request, within the duration ([0032]); storing in the memory both the request and the result

([0043], [0057]).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4, 5, 7-13, 15-17, 21-24, 28-39, 41-45, 49, 65-67 and 73-75, are rejected under

35 U.S.C. 102(e) as being anticipated by Chern et al. (6,381,456).

Regarding claims 1, 28, 33 and 75, Chern teaches making a request by indicating type of

information of the request and collecting a result obtained form the network in response to a

request with the duration; maintaining a record to capture the request and a result; receiving in

the information account a result obtained; collecting in the information account a result obtained

and storing the request and result (see fig. 3, 16 and 17 and col. 3 lines 42-48). Chern teaches a

server receiving a request and monitoring for conditions specified by the requesting device, and

when the condition is met generating an alert message and sending the message to the device

(see col. 1 line 58 to col. 2 line 9), wherein the message is promotional information to influence

individual's purchasing decisions (see col. 6 lines 24-34, col. 11 line 48 to col. 12 lines 28).

Chern teaches a user entering a duration in which a request is active. Chern teaches the user

sending a monitoring request to the server requesting to be alerted if changes occur with her

itinerary and the server determining that the user's flight has been delayed from 3:30 PM to 4:15

PM generates appropriate alert messages. Chern further teaches based on the user's profile (i.e.,

coffee drinker or frequent flyer program member), the alert message content (flight delay), and

the user's location (airport or nearby), the ad server generates an appropriate ad message that is

appended to the alert message. Ad message, for example, notifies the user of a coffee promotion

in the airport. The Ad message notifies the user of a frequent flyer promotion in the airport (see

col. 36-63).

Regarding claim 4, Chern teaches determining an amount of the result in the record (see

col. 2 lines 20-40, col. 12 lines 29-43).

Regarding claim 5 Chern teaches user preference database to record past activity of the

user; action is one of made a purchase, not a purchase etc.,(see col. 1 line 62 to col. 2 line 61, col.

3 line 40 to col. 4 line 41, col. 7 line 63 to col. 9 line 11 and col. 10 line 55 to col. 11 line 18, Fig.

5A).

Regarding claims 7-11, Chern teaches user selecting promotions or sales notification,

which indicates that the user readiness or purchase or usage intentionality (see col. 12 lines 4-

43). Chern teaches analyzing user behaviors in view of the record (coffee drinker or frequent

flyer); wherein the taking an action based on the result and categorizing the action as one of

made purchase, not made a purchase, continued to make the request etc (user categorized as

coffee drinker or frequent flyer indicates user action was analyzed based on the result).

Regarding claim 12, Chern teaches providing a promotion based on the usage or purchase

index (see Chern col. 13 lines 50-64),

Regarding claim 13, Chern teaches specifying destination regarding where a result of the

request is to be delivered (to the requesting device) (fig. 16 and col. 13 line 51 to col. 14 lines

20).

Regarding claims 15-17, Chern teaches request comprising a plurality of parameters; wherein the duration is preset for one of a future activation date and a future cut-off data (col. 6 lines 23-65, col. 7 lines 34-60).

Regarding claims 21-24, Chern teaches entering geographic region, promotional type or source of origin where the type of information to be collected from (see col. 6 lines 14-65).

Regarding claims 29, 34 and 35, Chern teaches receiving alters and specifying the repetitive pattern the type of information should be delivered (see col. 15 lines 33-43).

Regarding claim 30, Chern teaches the account comprising of short messaging account (see col. 3 lines 42-65).

Regarding claim 31, Chern teaches the type of information indicated by one of selecting from an index with a mouse, entering from a keyboard, etc (see col. 5 line 59 to col. 6 lines 50).

Regarding claim 32, Chern teaches the type of information is search from one of public domain resource and a private domain resource (see col. 11 line 48 to col. 12 line 28).

Regarding claim 36, Chern teaches specify a format of a result (see col. 15 lines 33-43).

Regarding claim 37, Chern teaches the format comprises HTML/PIX, video, audio, etc. (see col. 8 lines 17-30).

Regarding claims 38 and 39, Chern teaches specifying whether a related subject of the type of the information is desired; whether the search should conducted in one of public domain resource (see col. 12 lines 4-28).

Claim 41 is rejected as stated above in claims 18, 36 and 38.

Regarding claims 42-45, Chern teaches wherein the method is implemented in one of an instant messaging, wireless messaging, etc.,; in one of active or launched upon; integrated as a

request utility as part of one of web site or portal (see col. 3 lines 50-65, col. 5 lines 41-58, col.
11 lines 28-60, col. 16 lines 18-31).

Regarding claim 49, Chern teaches capturing requester behavior with respect t a result
delivered (see col. 6 lines 24-65 and col. 13 lines 50-64).

Regarding claim 53, Chern teaches a password recognized by a lookup table (see col. 11
lines 27-47).

Regarding claim 65, Chern teaches requesting and collecting of information performed
by being one of trusted intermediary or third party (see col. 11 line 48 to col. 12 lines 28).

Regarding claim 66, Chern teaches a holding a lookup table (see col. 11 lines 27-67).

Regarding claim 67, Chern teaches feature achieved by a channelized address (see col. 11
lines 28-47).

Regarding claims 73 and 74, Chern teaches making a request by indicating type of
information of the request and collecting a result obtained form the network in response to a
request with the duration; maintaining a record to capture the request and a result; receiving in
the information account a result obtained; collecting in the information account a result obtained
and storing the request and result (see fig. 3, 16 and 17 and col. 3 lines 42-48). Chern teaches a
server receiving a request and monitoring for conditions specified by the requesting device, and
when the condition is met generating an alert message and sending the message to the device
(see col. 1 line 58 to col. 2 line 9), wherein the message is promotional information to influence
individual's purchasing decisions (see col. 6 lines 24-34, col. 11 line 48 to col. 12 lines 28).
Chern teaches a user entering a duration in which a request is active. Chern teaches the user
sending a monitoring request to the server requesting to be alerted if changes occur with her

itinerary and the server determining that the user's flight has been delayed from 3:30 PM to 4:15

PM generates appropriate alert messages 862, 872. Chern further teaches based on the user's

profile (i.e., coffee drinker or frequent flyer program member), the alert message content (flight

delay), and the user's location (airport or nearby), the ad server generates an appropriate ad

message that is appended to the alert message. Ad message 864, for example, notifies the user of

a coffee promotion in the airport. The Ad message 874 notifies the user of a frequent flyer

promotion in the airport (see col. 36-63). Chern teaches user selecting promotions or sales

notification, which indicates that the user readiness or purchase or usage intentionality (see col.

12 lines 4-43). Chern teaches analyzing user behaviors in view of the record (coffee drinker or

frequent flyer); wherein the taking an action based on the result and categorizing the action as

one of made purchase, not made a purchase, continued to make the request etc (user categorized

as coffee drinker or frequent flyer indicates user action was analyzed based on the result).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 6, 18, 47, 50, 69 and 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chern et al. (6,381,456) and further in view of Official Notice.

Regarding claim 6, Chern does not teach determining an actual duration of the request

stayed active. Official notice is taken that is well known in the art of computing to determine the

actual duration of a request. It is well known to determine if a user cancelled a request before the requested duration is fulfilled. It would have been obvious to one of ordinary skill in the art at the time of the invention to know whether user cancelled the request or not in order to analyze user behavior for a better marketing strategy.

Regarding claim 18, Chern does not explicitly teach entering the quantity of information desired as expressed in on of fixed number and range. Official notice is taken that is old and well known in the art of database search to allow user to enter quantity of information to receive. It would have been obvious to one or ordinary skill in the art at the time of the invention to include such feature in Chern's alert system in order allow users to limit the number of alerts to receive since users prefer to receive only the most relevant matches.

Regarding claim 47, Chern does not explicitly teach automatic forwarding of emails. However official notice is taken that is old and well known to designate automatic forwarding of emails in the art of electronic mail. It would have been obvious to one of ordinary skill in the art at the time of the invention to set such feature in Chern's notification system in order to automatically inform other concerned parties.

Regarding claim 50, Chern does not teach capturing requester behavior with respect to the result as one of opening the result, saving or deleting etc. Official Notice is taken that is old and well known in the art electronic commerce to captures user behavior and to know whether user opened or deleted the message. It would have been obvious to one of ordinary skill in the art at the time of the invention to include such feature in Chern' alert system in order to determine whether is advertisement or message sent to the user was effective or not.

Regarding claim 69, Chern does not explicitly teach email alias account that expires after a predetermined time. Official notice is taken (*also as admitted by applicant*) that is well known to provide alias account in the art of electronic mail service. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide such feature in Chern's notification system for the intended purpose of protecting the user from spammers.

Regarding claim 70, Chern teaches databases however does not explicitly teach storing computer table in a relational database. Official Notice is taken that is old and well known to use relational database. It would have been obvious to one of ordinary skill in the art at the time of the invention to use relational database since it is scaleable

Claims 14, 19, 20, 25-27, 46, 53, 68, 71 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chern et al. (6,381,456) and further in view of O'Flaherty et al. (US 6,253,203).

Regarding claims 19 and 20, Chern does not explicitly teach entering a preferred method of transmission as expressed in a transmission rate or for particular type of receiving terminus, it is taught in O'Flaherty (see col. 13 lines 15-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide selection of different method of transmission for the intended use of providing option to users.

Regarding claims 25-27, Chern teaches the information in the result is listed or ranked in order of best matches to the user's request and/or preferences, However failed to teach entering a delivery priority of the type of information based on a plurality of terminus. O'Flaherty teaches different preference for delivery of information (see col. 9 lines 324-53, col. 10 lines 29-39). It

would have been obvious to one of ordinary skill in the art at the time of the invention to provide

an option for user to select where specific information should be received based on plurality of

terminus, as in O'Flaherty. One would be motivated to provide such option since user would

prefer to receive important alerts on a device the user is currently using.

Regarding claims 14, 46, 71 and 72, O'Flaherty teaches requester's identity concealed

from a provider (see col. 9 lines 4-65, col. 10 lines 17-39). It would have been obvious to one of

ordinary skill in the art at the time of the invention to provide such anonymity to the users of

Chern, as in O'Flaherty, since some users would like to stay anonymous.

Regarding claim 68, Chern does not teaches feature achieved by a limited used

cryptographic system, it is taught in O'Flaherty see col. 10 lines 40-49). It would have been

obvious to one of ordinary skill in the art at the time of the invention to implement O'Flaherty's

encryption system in Chern's notification system in order to provide security to the users'

information as taught in O'Flaherty.

Claims 40, 48, 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chern et al. (6,381,456) and further in view of Bisdikian et al. (US 5,974,406).

Regarding claim 40, Chern does not teach taking payment information. Bisdikian teaches

receiving payment information from user (see col. 4 lines 1-14). It would have been obvious to

one of ordinary skill in the art at the time of the invention to take payment information in

Chern's system as in Bisdikian in order to allow user to pay for service and/or product.

Regarding claims 51, 52, Chern does not explicitly teach should the request fail to specify

any preference or request criteria default preferences are imposed, it is taught in Bisdikian. It

would have been obvious to one of ordinary skill in the art at the time of the invention to provide

such feature in Chern' notification system. One would be motivated to include such feature by

selecting the most selected preference, as a default preference, so the user could be notified

anyway even if the preference is not set.

Claims 40, 48, 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Lanzillo (20020032602) and further in view of Bisdikian et al. (US 5,974,406).

Regarding claim 40, Lanzillo does not teach taking payment information. Bisdikian

teaches receiving payment information from user (see col. 4 lines 1-14). It would have been

obvious to one of ordinary skill in the art at the time of the invention to take payment

information in Lanzillo's system as in Bisdikian in order to allow user to pay for service and/or

product.

Regarding claims 51, 52, Lanzillo does not explicitly teach should the request fail to

specify any preference or request criteria default preferences are imposed, it is taught in

Bisdikian. It would have been obvious to one of ordinary skill in the art at the time of the

invention to provide such feature in Lanzillo' notification system. One would be motivated to

include such feature by selecting the most selected preference, as a default preference, so the

user could be notified anyway even if the preference is not set.

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Response to Arguments

Applicant's arguments filed February 16, 2007 have been fully considered but they are

not persuasive.

In regard to claim 1, Applicant amendment overcome the "112" rejection.

Regarding applicant's argument of claim 30, Examiner point the applicant to the 112 rejections stated above.

Regarding claim 69, it is unclear if applicant is implying that email alias account wherein the aliases are deleted from the account once a predetermined time has expired is inherent feature of the permission-based email. Examiner does not believe that the feature is inherent. Applicant argues that to associate different permission for different email senders form an email recipient's point of view, the recipient email alias is used and Applicant asserts that all features of claim 69 are supported as would be recognized by a person of ordinary skill in the art. Even if the feature is well known or a person of ordinary skill in the art would know how to make it, applicant's disclosure do not contain sufficient information as to enable one skilled in the art to make and use the claimed feature, i.e., to implement the email account with alias that are deleted from the account once a predetermined time has expired from what is disclosed in applicant's disclosure.

The rejection of claim 70, in regard to "112" rejection, have been withdrawn. Applicant argument in regard to claims

Regarding claim 9, Applicant in his argue indicates the Information Account each of which maintains active and historical records of requests made, criteria for such requests made, criteria for such requests and a record of delivered results and associated email behaviors and financial transaction a appropriate. Applicant also indicates that fig. 9c and 10 illustrating a sample at your request user history record 1000 and transaction behavior summary. Therefore, applicant asserts that how a user utilizes the information is recorded in a historical record.

Applicant does not indicate in the claim who makes the request and who takes the action and how the action is taken and how the determination is made. Examiner is aware that

Applicant can claim broadly but the claim need to be clear so that the Examiner can have some

understanding of the full scope of the claimed invention. Although the claims are interpreted in

light of the specification, limitations from the specification are not read into the claims. See In re

Van Geuns, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Examiner would like to point out

that applicant's argument does not equate to what is claimed. Claim 1 is for a method of

requesting and collecting information via an information account of a system with a processor

and a memory, comprising of plurality of steps. The method or system as claimed does not

include feature or device to perform the argument presented by applicant. There is nothing in the

claim that indicate the result is sent to an email account of subscriber or the subscriber accesses

the result so that the action taken is recorded. Since the processor and a memory does not provide

means for taking action by a subscriber the action can not be recorded, therefore, the claim is

rejected as being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

Claim 10 depends on claim 1, which recites storing in the memory both the request and

result. Claim 10 recited inputting information associated with one of various levels of readiness

to buy or purchase intentionality. First of all, as claimed, there is no action taken after the result

is store, let alone inputting information of readiness. However, as broadly interpreted requesting

the information or viewing the result or clicking on the information is considered **inputting**

information indicating readiness to purchase.

Regarding claim 73 and 74, applicant argues that the claim positively recite "inputting an

information indicating of a level of readiness to buy". Applicant asserts that to fulfill this step

there must be an input of information specifically indicating the level of readiness to buy. As

indicated above requesting the information or viewing the information is inputting information

indicating the level readiness.

In regard to Official notice taken by the Examiner for the well known art applicant asserts

that old and well-known features should be easy to find in the prior art and request a copy of

prior art that either teach or disclose each of these shortcomings.

Examiner would like to point out that Official Notice was taken to the limitation that are

considered to be notoriously well known to one of ordinary skill in the art at the time of

applicant's invention was made. Applicant response to the Official Notice has not provided

adequate information or argument so that on its face it creates a reasonable doubt regarding the

circumstances justifying the Official Notice. Therefor, the presentation of a reference to

substantiate the Official Notice is not deemed necessary. The bald statement provided by the

Applicant is not adequate and do not shift the burden to the examiner because such statement to

challenge the Official Notice would effectively destroy the purpose of using official notice to

establish a rejection of a very well known facts.

Examiner would like to point applicant to the newly cited reference (Lanzillo), which

teach the claimed feature, such as determining the actual duration of the request, entering

quantity of information and duration, automatic forwarding of emails, capturing requester

behavior etc,.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Bunger et al. (US 2002/0174018), teaches method to obtain permission-based marketing or demographic data.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RETTA YEHDEGA
PRIMARY EXAMINER